

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-16-00059-CV

CAROLYN R. GIBSON, Appellant

V.

GAMBRELL LEASING, LLC, Appellee

On Appeal from the County Court at Law No. 2
Montgomery County, Texas
Trial Cause No. 15-29211

MEMORANDUM OPINION

The notice of appeal was filed with the trial court on February 24, 2016. To date, despite written notices from this Court and an opportunity to cure, the appellant has neither established indigence nor paid the appellate filing fee. *See* Tex. R. App. P. 5, 20.1. In addition, no clerk's record has been filed. The clerk responsible for preparing the record in this appeal informed the Court that the appellant did not make arrangements to pay for the record. On April 20, 2016, we notified the parties that the appeal would be dismissed for want of prosecution

unless arrangements were made for filing the record or the appellant explained why additional time was needed to file the record. Appellant did not respond to the Court's notices.

Appellant did not file an affidavit of indigence on appeal and has not shown that she is entitled to proceed without payment of costs. *See* Tex. R. App. P. 20.1. There being no satisfactory explanation for the failure to pay the filing fee for the appeal, and there being no satisfactory explanation for the failure to file the clerk's record, we dismiss the appeal for want of prosecution. *See* Tex. R. App. P. 37.3(b); Tex. R. App. P. 42.3.

APPEAL DISMISSED.

CHARLES KREGER
Justice

Submitted on June 1, 2016
Opinion Delivered June 2, 2016

Before McKeithen, C.J., Kreger and Johnson, JJ.